

NOTES FOR POSSIBLE POST-AGENDA PSB DISCUSSION

SUBJECT: The Strategic Significance of Involuntary PW Repatriation in Korea.

1. The PSB, on 22 October 1951, forwarded a staff study on the repatriation of prisoners of war to the National Security Council. It concluded in general that involuntary repatriation of prisoners of war was undesirable, that a means of releasing such prisoners was available under the terms of the Geneva Convention wherein they might be paroled or released unconditionally prior to the cessation of hostilities, and recommended that this course of action be adopted.

2. During the past several months there has been extensive official and press discussion of this matter and it appears from current instructions to General Ridgeway, the final US position on the subject may not have been taken. A recent official estimate concludes that involuntary repatriation as opposed to a renewal of open hostilities would not have a seriously adverse effect on the US psychological position with respect to defectors, etc. These estimates are open to considerable question. It is noted, however, that the decision with respect to involuntary repatriation can at the present time still be made in conjunction with other items and that question of a breakdown in the cease-fire negotiations is not necessarily unilaterally connected with the PW issue but it appears that this is becoming more difficult daily.

3. At the present time there is no widespread active concern in the US on the question of possible failure on the part of the Chinese to return all American prisoners. But articles now beginning to appear in the press raise the specter that the issue might be presented to the American public as an "exchange of Chinese lives for American lives". Should this develop, it is likely that the public outcry would obscure the basic moral issue and jeopardize the effectiveness of the US policy decision.

4. At the present time, it appears that the Department of State and the Department of Defense are engaged in the collection and careful analysis of the facts pertaining to this problem. Preliminary indications are that perhaps 3,000 Chinese and up to 10 percent of the North Korean PWs will fall within the category of those whose return to their homelands would result in their death, or who for other reasons do not wish to be repatriated.

5. There are additional complications (aside from the abstract moral issue) which are also under consideration. These include the not entirely desirable conditions in the PW camps and the adverse psychological effect of returning mistreated prisoners to their homeland; the unwillingness of the military commander in the field to release substantial numbers of prisoners behind his lines; and, the serious likelihood that Chinese released in South Korea would themselves be unwelcome on Korean soil. It must also be seriously considered that the psychological effect of releasing such individuals without adequate provision for their welfare might have a more serious adverse psychological effect in the long term than the return to their homelands. The problem of disposal is therefore one of critical importance.

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6. There is a serious possibility that the question of involuntary repatriation of prisoners may again become an issue in the future, both during the cold war, and in the event a general war should occur. Policy guidance in this problem is lacking since the individuals and principles involved do not fall entirely within US concepts of political asylum, or within the Geneva Convention. The solution of the issue in Korea, while of critical immediate importance, is also likely therefore to provide a mid-term or long-range strategic precedent.

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